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12 Attorneys for Kolesar & Leatham, Chtd. and  
13 Randolph L. Howard, Esq.

14 Asset Resolution LLC,

15 Plaintiff,

16 vs.

17 USA Commercial Mortgage Company,  
18 USA Capital First Trust Deed Fund, LLC, and  
Geoffrey L. Berman, in his capacity as Trustee  
for the USACM Liquidating Trust, and not  
individually,

19 Defendants.

20 Case No.: BK-S-06-10725 LBR

21 CHAPTER 11

22 Consolidated With:

23 Case No. BK-S-06-10725-LBR

24 Case No. BK-S-06-10726-LBR

25 Case No. BK-S-06-10727-LBR

26 Case No. BK-S-06-10728-LBR

27 Case No. BK-S-06-10729-LBR

28 Adv. Proc. No. 09-01284-LBR

29 Date of Hearing: 02/15/2011

30 Time of Hearing: 10:30 a.m.

## CERTIFICATE OF SERVICE

31 On January 5, 2011, I served the following document(s) (*specify*):

32 **JOINT MOTION FOR APPROVAL OF SETTLEMENT OF TRUSTEE'S**  
33 **CLAIM PURSUANT TO BANKRUPTCY RULE 9019 [Doc. No. 81, Doc. No.**  
34 **8243]**

35 **NOTICE OF HEARING OF JOINT MOTION FOR APPROVAL OF**  
36 **SETTLEMENT OF TRUSTEE'S CLAIM PURSUANT TO BANKRUPTCY**  
37 **RULE 9019 [Doc. No. 82, Doc. No. 8244]**

1. I served the above-named document(s) by the following means to the persons as listed below:

*(Check all that apply)*

- a. **ECF System** (*You must attach the "Notice of Electronic Filing," or list all persons and addresses and attach additional paper if necessary*)

b. **United States mail, postage fully prepaid**  
*(List persons and addresses. Attach additional paper if necessary)*

c. **Personal Service** (*List persons and addresses. Attach additional paper if necessary*)

I personally delivered the document(s) to the persons at these addresses:

- For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the documents(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the documents(s) in a conspicuous place in the office.
  - For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

- d. By direct email (as opposed to through the ECF System)  
*(List persons and email addresses. Attach additional paper if necessary)*

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

- e. By fax transmission (List persons and fax numbers. Attach additional paper if necessary)

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

- f. By messenger (*List persons and addresses. Attach additional paper if necessary*)

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service. (*A declaration by the messenger must be attached to this Certificate of Service*).

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed on (date): January 5, 2011.

/s/ Jacqueline Ierien  
DECLARANT

KOLESAR & LEATHAM, CHTD.  
3320 West Sahara Avenue, Suite 380  
Las Vegas, Nevada 89102

**File a Motion:**

09-01284-lbr SILAR ADVISORS, LP et al v. USA COMMERCIAL MORTGAGE COMPANY et al Closed 06/21/2010  
 Type: ap Office: 2 (Las Vegas) Disposition: Judgment Entered  
 on Motion for Summary  
 Judgment  
 Judge: lbr Lead Case: 2-06-bk-10725 Case Flag: TermPty, CLOSED

**U.S. Bankruptcy Court****District of Nevada**

## Notice of Electronic Filing

The following transaction was received from BART K. LARSEN entered on 1/5/2011 at 2:02 PM PST and filed on 1/5/2011

**Case Name:** SILAR ADVISORS, LP et al v. USA COMMERCIAL MORTGAGE COMPANY et al

**Case Number:** 09-01284-lbr

**WARNING: CASE CLOSED on 06/21/2010**

**Document Number:** 81

**Docket Text:**

Joint Motion to Approve Settlement of Trustee's Claim Pursuant to Bankruptcy Rule 9019 Filed by BART K. LARSEN on behalf of Randolph L. Howard, Esq., KOLESAR & LEATHAM, CHTD. (LARSEN, BART)

The following document(s) are associated with this transaction:

**Document description:** Main Document

Original filename:\kl-server01\home\jierien\Wiznet filings\Asset - Motion.pdf

**Electronic document Stamp:**

[STAMP bkeclfStamp\_ID=989277954 [Date=1/5/2011] [FileNumber=18219791-0]  
 [5607a8b2e2e56c69602c125c501d585d1896a151bf323b29d115a6d1d9f0d2eb7a24  
 e91258eb3333259fd4b5308ec0b913306e1aeccbb2db96dd544bee450647]]

**09-01284-lbr Notice will be electronically mailed to:**

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 rcharles@lrlaw.com, cjordan@lrlaw.com

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 bsalinas@armstrongteasdale.com

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 JHinderaker@RLLaw.com, RCreswell@RLLaw.com

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 rhoward@klnevada.com, ckishi@klnevada.com;bankruptcy@klnevada.com

JASON A. IMES on behalf of Defendant USA CAPITAL FIRST TRUST DEED FUND, LLC  
 bkfilings@s-mlaw.com

BART K. LARSEN on behalf of Interested Party KOLESAR & LEATHAM, CHTD.  
 blarsen@klnevada.com, jierien@klnevada.com;bankruptcy@klnevada.com

JEANETTE E. MCPHERSON on behalf of Defendant USA CAPITAL FIRST TRUST DEED FUND, LLC  
 bkfilings@s-mlaw.com

PETER D. NAVARRO on behalf of Interested Party KOLESAR & LEATHAM, CHTD.  
 pnavarro@klnevada.com, kgregos@klnevada.com;awhite@klnevada.com;bankruptcy@klnevada.com

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 hill@sullivanhill.com;vidovich@sullivanhill.com;mcallister@sullivanhill.com;stephens@sullivanhill.com;stein@sullivanhill.com;calderone@sullivanhill.com;manning@sullivanhill.com

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**09-01284-lbr Notice will not be electronically mailed to:**

ANNETTE W JARVIS on behalf of Defendant USA COMMERCIAL MORTGAGE COMPANY  
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 SALT LAKE CITY, UT 84145

WILLIAM A LEONARD  
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DOUGLAS M MONSON on behalf of Defendant USA CAPITAL FIRST TRUST DEED FUND, LLC  
RAY QUINNEY & NEBEKER P.C.  
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RAY QUINNEY & NEBEKER P.C.  
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**File a Notice:**

09-01284-lbr SILAR ADVISORS, LP et al v. USA COMMERCIAL MORTGAGE COMPANY et al **Closed** 06/21/2010  
 Type: ap Office: 2 (Las Vegas) Disposition: Judgment Entered  
 on Motion for Summary  
 Judgment  
 Judge: lbr Lead Case: 2-06-bk-10725 Case Flag: TermPty, CLOSED

**U.S. Bankruptcy Court****District of Nevada**

## Notice of Electronic Filing

The following transaction was received from BART K. LARSEN entered on 1/5/2011 at 2:08 PM PST and filed on 1/5/2011

**Case Name:** SILAR ADVISORS, LP et al v. USA COMMERCIAL MORTGAGE COMPANY et al

**Case Number:** 09-01284-lbr

**WARNING: CASE CLOSED on 06/21/2010**

**Document Number:** 82

**Docket Text:**

Notice of Hearing of Joint Motion for Approval of Settlement of Trustee's Claim Pursuant to Bankruptcy Rule 9019 Hearing Date: 02/15/2011 Hearing Time: 10:30 Filed by BART K. LARSEN on behalf of Randolph L. Howard, Esq., KOLESAR & LEATHAM, CHTD. (Related document(s)[81] Motion to Approve Settlement filed by Interested Party KOLESAR & LEATHAM, CHTD., Interested Party Randolph L. Howard, Esq.) (LARSEN, BART)

The following document(s) are associated with this transaction:

**Document description:** Main Document

**Original filename:** \\kl-server01\\home\\jierien\\Wiznet filings\\Asset - Notice of Hearing.pdf

**Electronic document Stamp:**

[STAMP\_bkeefStamp\_ID=989277954 [Date=1/5/2011] [FileNumber=18219899-0]  
 [3a3139d467da23033368064f147162713b04a66c482fdad78db61518b8fc2dfbb1e  
 1ca90e3e6022ee6ff14d50321371bd2e7c71bd535e87e378fa9f329711f1]]

**09-01284-lbr Notice will be electronically mailed to:**

ROBERT M. CHARLES on behalf of Creditor USACM LIQUIDATING TRUST  
 rcharles@lrlaw.com, cjordan@lrlaw.com

JANET L. CHUBB on behalf of Interested Party KEHL FAMILY  
 bsalinas@armstrongteasdale.com

JOHN HINDERAKER on behalf of Defendant GEOFFREY BERMAN  
 JHinderaker@LRLaw.com, RCreswell@LRLaw.com

RANDOLPH L. HOWARD on behalf of Plaintiff ASSET RESOLUTION LLC  
 rhoward@klnevada.com, ckishi@klnevada.com;bankruptcy@klnevada.com

JASON A. IMES on behalf of Defendant USA CAPITAL FIRST TRUST DEED FUND, LLC  
 bkfilings@s-mlaw.com

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 myoder@diamondmccarthy.com, cburrow@diamondmccarthy.com

**09-01284-lbr Notice will not be electronically mailed to:**

ANNETTE W JARVIS on behalf of Defendant USA COMMERCIAL MORTGAGE COMPANY  
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RAY QUINNEY & NEBEKER P.C.  
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RAY QUINNEY & NEBEKER P.C.  
36 SOUTH STATE STREET, STE 1400  
SALT LAKE CITY, UT 84145-0385

**File a Motion:**06-10725-lbr USA COMMERCIAL MORTGAGE COMPANY

Type: bk	Chapter: 11 v	Office: 2 (Las Vegas)
Assets: y	Judge: lbr	Case Flag: EXHS, BAPCPA, LEAD, JNTADMN, APPEAL

**U.S. Bankruptcy Court****District of Nevada****Notice of Electronic Filing**

The following transaction was received from BART K. LARSEN entered on 1/5/2011 at 2:41 PM PST and filed on 1/5/2011

**Case Name:** USA COMMERCIAL MORTGAGE COMPANY

**Case Number:** 06-10725-lbr

**Document Number:** 8243

**Docket Text:**

Joint Motion to Approve Settlement of Trustee's Claim Pursuant to Bankruptcy Rule 9019 Filed by BART K. LARSEN on behalf of Randolph L. Howard, Esq., KOLESAR & LEATHAM, CHTD. (LARSEN, BART)

The following document(s) are associated with this transaction:

**Document description:** Main Document

Original filename: \\kl-server01\home\jierien\Wiznet filings\Asset - Motion.pdf

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=989277954 [Date=1/5/2011] [FileNumber=18220377-0]  
[0eaede26c3d077ca41a0f93937f07fd291d776e2f0cbc50637b6095f0c6af081f170  
d0783464c5250eb2c1ab3f74336d68f022593393c4eeb7814dfecf458563]]

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bankruptcy@goldguylaw.com, selenav@goldguylaw.com;deeter@goldguylaw.com;kristim@goldguylaw.com

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JOHN HINDERAKER on behalf of Counter-Defendant USACM LIQUIDATING TRUST  
JHinderaker@LRLaw.com, RCreswell@LRLaw.com

RICHARD F. HOLLEY on behalf of Creditor HALL FINANCIAL GROUP, LTD  
rholley@nevadafirm.com,  
vnelson@nevadafirm.com;sliberio@nevadafirm.com;bkecf@nevadafirm.com;manthony@nevadafirm.com;oatamoh@nevadafirm.com;sdwkhtcf@gmail.com;oswibies@nevadafirm.com

RANDOLPH L. HOWARD on behalf of Interested Party DAYCO FUNDING CORPORATION  
rhoward@klnevada.com, ckishi@klnevada.com;bankruptcy@klnevada.com

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dwh@hustonlaw.net

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CHRISTOPHER D JAIME on behalf of Creditor DR. JAMES & TRACY MURPHY  
cjaime@mclrenolaw.com, kbernhardt@mclrenolaw.com

EVAN L. JAMES on behalf of Creditor ROSEBERRY FAMILY LP  
elj@cjmlv.com

LARRY C. JOHNS on behalf of Defendant LARRY JOHNS  
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ERIN E. JONES on behalf of Plaintiff USACM LIQUIDATING TRUST  
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TY E. KEHOE on behalf of Creditor LERIN HILLS, LTD  
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rkinas@swlaw.com, jmath@swlaw.com;mfull@swlaw.com;cdossier@swlaw.com;nbaig@swlaw.com;nunzueta@swlaw.com

DEAN T. KIRBY on behalf of Creditor DEBT ACQUISITION COMPANY OF AMERICA  
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KENT F. LARSEN on behalf of Creditor WELLS FARGO BANK OF NEVADA AND WELLS FARGO BANK  
kfl@swlaw.com, cjm@swlaw.com

BART K. LARSEN on behalf of Interested Party KOLESAR & LEATHAM, CHTD.  
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ecf@lslawnv.com, sstanton@lslawnv.com;akosina@lslawnv.com

SANDRA W. LAVIGNA on behalf of Creditor UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
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JOHN J. LAXAGUE on behalf of Defendant JOHN ROBERT MALLIN & MARIE THERESA MALLIN  
jlaxague@canecClark.com

GEORGE C LAZAR on behalf of Cross-Claimant DONALD S. TOMLIN AND DOROTHY R. TOMLIN  
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**File a Notice:**06-10725-lbr USA COMMERCIAL MORTGAGE COMPANY

Type: bk	Chapter: 11 v	Office: 2 (Las Vegas)
Assets: y	Judge: lbr	Case Flag: EXHS, BAPCPA, LEAD, JNTADMN, APPEAL

**U.S. Bankruptcy Court****District of Nevada**

## Notice of Electronic Filing

The following transaction was received from BART K. LARSEN entered on 1/5/2011 at 2:43 PM PST and filed on 1/5/2011

**Case Name:** USA COMMERCIAL MORTGAGE COMPANY

**Case Number:** 06-10725-lbr

**Document Number:** 8244

**Docket Text:**

Notice of Hearing of *Joint Motion for Approval of Settlement of Trustee's Claim Pursuant to Bankruptcy Rule 9019* Hearing Date: 02/15/2011 Hearing Time: 10:30 Filed by BART K. LARSEN on behalf of Randolph L. Howard, Esq., KOLESAR & LEATHAM, CHTD. (Related document(s)[8243] Motion to Approve Settlement filed by Interested Party KOLESAR & LEATHAM, CHTD., Interested Party Randolph L. Howard, Esq.) (LARSEN, BART)

The following document(s) are associated with this transaction:

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[STAMP bkecfStamp_ID=989277954 [Date=1/5/2011] [FileNumber=18220385-0]
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1bd91476bfd70ca66384f760b4ff48bec7bd938a5c74a4afc2516b125af0]]
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,

U.S. BANKRUPTCY APPELLATE PANEL OF THE NINTH CIRCUIT  
125 S GRAND AVE  
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U.S. BANKRUPTCY COURT  
,

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UNITED STATES DISTRICT COURT

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